



National Aeronautics and
Space Administration

Principal Center for Regulatory Risk Analysis and Communication

Regulatory Tracking Summary

28 December 2012

This report summarizes regulatory items reviewed by the NASA RRAC PC and includes items with direct applicability to NASA facilities and operations, as well as items of general interest. Notes and comments by the RRAC PC are shown in bold, blue text under "Description." Related documents and citations, such as "77 FR 51967," are linked to the appropriate document for quick access. Suggested follow-up actions are noted with significant items; users are advised that other follow-up actions may be appropriate for their program or facility. Previous issues of this regulatory summary and other materials are archived on the RRAC PC website at <http://www.nasa.gov/offices/rrac/home/>.

Comments, questions, suggestions, and requests for further information should be directed to the RRAC PC Manager, Sharon Scroggins at 256-544-7932 (sharon.scroggins@nasa.gov).

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Acronyms and Abbreviations

AAC = Alabama Administrative Code
AB = Assembly Bill
AgNP = Silver nanoparticle
ARB = Air Resources Board
ARC = Ames Research Center
BAAQMD = Bay Area Air Quality Management District
CAS = Chemical Abstract Service
CCR = California Code of Regulations
CFR = *Code of Federal Regulations*
CI = Compression ignition
CITSS = Compliance Instrument Tracking System Service
CRNR = California Regulatory Notice Register
CWC = Chemical Weapons Convention
CY = Calendar year
DAPC = Division of Air Pollution Control
DFRC = Dryden Flight Research Center
DMWM = Division of Materials and Waste Management
DPV = Downstream protection value
ECHA = European Chemicals Agency
EPA = U.S. Environmental Protection Agency
ERP = Environmental resource permitting
ESA = Endangered Species Act
EU = European Union
FAR = *Florida Administrative Register*
FCC = Federal Communications Commission
FR = *Federal Register*
FRA = Federal Railroad Administration
GHG = Greenhouse gas
HAP = Hazardous air pollutant
ITC = Interagency Testing Committee
JSC = Johnson Space Center
LaRC = Langley Research Center
LARWQCB = Los Angeles Regional Water Quality Control Board
 $\mu\text{g/day}$ = Microgram per day
 $\mu\text{g/m}^3$ = Microgram per cubic meter
MDAQMD = Mojave Desert Air Quality Management District
Md.R. = *Maryland Register*
MFL = Minimum flow and level
MSFC = Marshall Space Flight Center
NASA = National Aeronautics and Space Administration

NESHAP = National Emissions Standards for Hazardous Air Pollutants
NHSM = Nonhazardous secondary material
NIOSH = National Institute of Occupational Safety and Health
 NO_2 = Nitrogen dioxide
NPDES = National Pollution Discharge Elimination System
NSPS = New Source Performance Standards
NSRL = No significant risk level
OEHHA = Office of Environmental Health Hazard Assessment
OEPA = Ohio Environmental Protection Agency
OSHA = Occupational Safety and Health Administration
PAL = Plantwide applicability limit
PM = Particulate matter
 $\text{PM}_{2.5}$ = Particulate matter having an aerodynamic equivalent diameter of 2.5 microns or less
PSD = Prevention of significant deterioration
QA = Quality assurance
REACH = Registration, Evaluation, Authorisation and Restriction of Chemicals
RIN = Regulatory Identification Number
RRAC PC = Principal Center for Regulatory Risk Analysis and Communication
SCAQMD = South Coast Air Quality Management District
SIL = Significant impact level
SIP = State Implementation Plan
SJRWMD = St. John's River Water Management District
SNUR = Significant New Use Rules
SORE = Small off-road engine
SVHC = Substance of very high concern
TMDL = Total maximum daily load
TSCA = Toxic Substances Control Act
U.S. = United States
USFWS = U.S. Fish and Wildlife Service
WFF = Wallops Flight Facility
WRC = World Radiocommunication Conference
WSTF = White Sands Test Facility

1.0 U.S. Federal Regulatory Review

1.1 Federal Register Summary

This summary includes FR items that were reviewed for potential impacts to NASA Centers and related operations.

Tracking Number	Subject	Date Published	Citation	Type Action	Description	Suggested Actions
FED122812-1	Air NESHAP– Chemical Manufacturing Area Sources	12/21/2012	77 FR 75739 HTML PDF	Final Rule	<p>U.S. Environmental Protection Agency</p> <p>National Emission Standards for Hazardous Air Pollutants for Chemical Manufacturing Area Sources [40 CFR Part 63]</p> <p>Finalizes the following proposed amendments (77 FR 4522, 01/30/2012), lifting stays of the Title V permit requirement (76 FR 13514, 03/14/2011) and the final rule (77 FR 65135, 10/25/2012):</p> <ul style="list-style-type: none"> Revisions to the approach for addressing malfunctions Amendments and technical corrections to clarify applicability and certain compliance issues <p>Final action extends compliance date for existing sources and EPA's final response to all issues raised in the petition for reconsideration. Effective 12/21/2012. [RIN 2060-AQ89]</p>	
FED122812-2	Communications	12/27/2012	77 FR 76250 HTML PDF	Proposed Rule	<p>Federal Communications Commission</p> <p>WRC-07 Implementation [47 CFR Parts 1, 2, 74, 87, 90, and 97]</p> <p>Proposes to amend the FCC's rules as follows:</p> <ul style="list-style-type: none"> Implement allocation decisions from the WRC-07. Make other non-WRC-07 allocation changes. Make certain updates to FCC's service rules. <p>Proposed actions are intended to conform the FCC's rules to the WRC-07 Final Acts. Comments due 02/25/2013.</p> <p>This notice mentions several NASA Centers and related operations, including MSFC, DFRC, LaRC, WFF, New Mexico Ranges Complex (near WSTF), JSC, Cape Canaveral, and ARC.</p>	NASA Centers and related operations, particularly those conducting flight testing, should be aware of this action.
FED122812-3	Energy	12/20/2012	77 FR 75400 HTML PDF	Notice	<p>Office of Energy Efficiency and Renewable Energy</p> <p>Labeling Requirements for Commercial and Industrial Equipment [10 CFR Part 431]</p> <p>Solicits information regarding the potential for establishing labeling requirements for covered commercial and industrial equipment, including the following:</p> <ul style="list-style-type: none"> Technical and economic feasibility of labeling such equipment Extent to which labeling would assist consumers in making purchasing decisions Potential for significant energy savings resulting from labeling Potential content and format of prospective labels for each type of equipment Ideal location of label placement Prospective burdens on manufacturers associated with labeling of covered equipment <p>Comments due 03/20/2013. [RIN 1904-AC84]</p>	

Tracking Number	Subject	Date Published	Citation	Type Action	Description	Suggested Actions
FED122812-4	Environmental Data	12/26/2012	77 FR 76035 HTML PDF	Notice	<p>U.S. Environmental Protection Agency</p> <p>Office of Environmental Information; Announcement of Availability and Comment Period for the Draft Quality Standard for Environmental Data Collection, Production, and Use by Non-EPA (External) Organizations and two associated QA Handbooks</p> <p>Solicits comments for the following documents:</p> <ul style="list-style-type: none"> ▪ "Draft Quality Standard for Environmental Data Collection, Production, and Use by Non-EPA (External) Organizations," which contains no new requirements ▪ "Draft Handbook for Preparing Quality Management Plans" ▪ "Draft Handbook for Preparing Quality Assurance Project Plans" <p>Comments due 01/25/2013.</p>	
FED122812-5	Environmental Justice	12/28/2012	77 FR 76482 HTML PDF	Notice Meeting	<p>U.S. Environmental Protection Agency</p> <p>National Environmental Justice Advisory Council; Notification of Public Teleconference Meeting and Public Comment</p> <p>Announces a meeting and public comment session to promote community resiliency in environmental justice industrial waterfront areas. Meeting is scheduled for 01/23/2013. Registration and comments due 01/11/2013.</p>	
FED122812-6	Hazardous Materials	12/19/2012	77 FR 75145 HTML PDF	Notice	<p>Bureau of Industry and Security</p> <p>Impact of the Implementation of the Chemical Weapons Convention (CWC) on Commercial Activities Involving "Schedule 1" Chemicals (Including Schedule 1 Chemicals Produced as Intermediates) Through Calendar Year 2012</p> <p>Seeks public comments on the impact of CWC implementation on commercial activities involving "Schedule 1" chemicals during CY 2012. Comments due 01/18/2012.</p> <p>Further information on the CWC is available on its website.</p>	
FED122812-7	Hazardous Materials Transportation	12/28/2012	77 FR 76602 HTML PDF	Notice	<p>Pipeline and Hazardous Materials Safety Administration; U.S. Department of Transportation</p> <p>Office of Hazardous Materials Safety; Actions on Special Permit Applications</p> <p>Announces approval of special permit modification request for Permit 12396-M, NASA, Washington, D.C., to authorize rail freight, cargo vessel, and passenger aircraft as additional modes of operation.</p>	
FED122812-8	Occupational Safety	12/17/2012	77 FR 74695 HTML PDF	Notice Meeting	<p>Occupational Safety and Health Administration</p> <p>Preventing Backover Injuries and Fatalities</p> <p>Announces stakeholder meetings to evaluate the prevention of backover injuries and fatalities across various industries, as well as new prevention technology and its effectiveness. Meetings are scheduled for the following dates and locations:</p> <ul style="list-style-type: none"> ▪ 01/08/2012 in Washington, D.C. ▪ 01/09/2012 in Washington D.C. ▪ 02/05/2012 in Arlington, Virginia <p>Further information about the meetings, including registration information. [RIN 1218-AC51]</p>	

Tracking Number	Subject	Date Published	Citation	Type Action	Description	Suggested Actions
FED122812-9	Railroads Safety	12/19/2012	77 FR 75045 HTML PDF	Final Rule	<p>Federal Railroad Administration, U.S. Department of Transportation</p> <p>Locomotive Safety Standards [49 CFR Part 229]</p> <p>Amends and clarifies certain sections of the final rule (77 FR 21311, 04/09/2012) that revised existing standards by incorporating existing industry and engineering best practices related to locomotives and locomotive electronics. Amendments affect the following:</p> <ul style="list-style-type: none"> Placement of the air flow method indicator calibration date on the Form 6180-49A Duration of remote control locomotive audio indication Date by which railroads and vendors must notify FRA regarding electronic locomotive control products that are under development <p>Effective 12/19/2012. [RIN 2130-AC39]</p>	
FED122812-10	Species Black-Footed Ferret	12/19/2012	77 FR 75185 HTML PDF	Notice	<p>U.S. Fish and Wildlife Service</p> <p>Endangered and Threatened Wildlife and Plants; Enhancement of Survival Permit Application; Draft Black-Footed Ferret Programmatic Safe Harbor Agreement and Environmental Assessment</p> <p>Announces availability of the "Draft Black-Footed Ferret Programmatic Safe Harbor Agreement" and the "Draft Environmental Assessment for the Black-Footed Ferret" to reintroduce the federally endangered black-footed ferret on properties of voluntary participants across the species' range to further the recovery of this species. Comments due 01/18/2013.</p> <p>The historic range of the black-footed ferret includes New Mexico, Texas, and Utah.</p>	WSTF, JSC, and NASA activities located in Utah should be aware of this item.
FED122812-11	Species Mexican Spotted Owl	12/17/2012	77 FR 74688 HTML PDF	Notice	<p>U.S. Fish and Wildlife Service</p> <p>Final Recovery Plan, First Revision; Mexican Spotted Owl</p> <p>Announces availability of the final "Mexican Spotted Owl Recovery Plan, First Revision," which includes specific recovery objectives and criteria to enable the USFWS to remove this species from the list of endangered and threatened wildlife and plants.</p> <p>The historic range of the Mexican spotted owl includes New Mexico, Texas, and Utah.</p>	WSTF, JSC, and NASA activities located in Utah should be aware of this item.
FED122812-12	Toxic Substances	12/19/2012	77 FR 75349 HTML PDF	Notice	<p>U.S. Environmental Protection Agency</p> <p>Seventy-First Report of the TSCA Interagency Testing Committee to the Administrator of the Environmental Protection Agency; Receipt of Report and Request for Comments; Notice</p> <p>Announces receipt of the 71st ITC report, which includes a revision of the Priority Testing List by removing 16 High Production Volume Challenge Program orphan chemicals. Comments due 01/18/2013.</p>	

Tracking Number	Subject	Date Published	Citation	Type Action	Description	Suggested Actions
FED122812-13	Toxic Substances	12/21/2012	77 FR 75566 HTML PDF	Notice Withdrawal	<p>U.S. Environmental Protection Agency Significant New Use Rule on Certain Chemical Substances; Withdrawal of Significant New Use Rules [40 CFR Parts 9 and 721]</p> <p>Withdraws SNURs for the following chemical substances (77 FR 66149, 11/02/2012):</p> <ul style="list-style-type: none"> ▪ Distillates (lignocellulosic), C5-40 ▪ Paraffin waxes (lignocellulosic) hydrotreated, C5-40-branched, cyclic and linear ▪ Naphtha (lignocellulosic), hydrotreated, C5-12-branched, cyclic and linear ▪ Kerosene (lignocellulosic), hydrotreated, C8-16-branched, cyclic and linear ▪ Distillates (lignocellulosic), hydrotreated, C8-26-branched, cyclic, and linear ▪ Residual oils (lignocellulosic), hydrotreated, C20-40-branched, cyclic, and linear ▪ Vinylidene ester (generic) <p>EPA intends to publish proposed SNURs for these chemical substances under separate notice and comment procedures. Effective 01/02/2012. [RIN 2070-AB27]</p>	
FED122812-14	Toxic Substances Cadmium	12/28/2012	77 FR 76419 HTML PDF	Notice Withdrawal	<p>U.S. Environmental Protection Agency Health and Safety Data Reporting; Addition of Certain Chemicals; Withdrawal of Final Rule [40 CFR Part 716]</p> <p>Withdraws final rule (77 FR 71561, 12/03/2012) that required manufacturers (including importers) of cadmium or cadmium compounds, including as part of an article, that have been or are reasonably likely to be, incorporated into consumer products to report certain unpublished health and safety studies to EPA. Effective 12/28/2012. [RIN 2070-AJ89]</p>	
FED122812-15	Toxic Substances Silver Nanoparticles	12/19/2012	77 FR 75169 HTML PDF	Notice	<p>Centers for Disease Control and Prevention Silver Nanoparticles (AgNPs); Information and Comment Request</p> <p>Announces an evaluation of the scientific data regarding AgNPs to analyze potential health risks to workers and to identify gaps. NIOSH is requesting additional information about the following:</p> <ul style="list-style-type: none"> ▪ Possible health effects observed in workers exposed to AgNPs ▪ Workplaces and products in which AgNPs can be found ▪ Descriptions of work tasks and scenarios with a potential for exposure ▪ Measurement methods and workplace exposure data ▪ Control measures that are being used in workplaces where potential exposures to AgNPs occur <p>Comments due 02/19/2013.</p>	

Tracking Number	Subject	Date Published	Citation	Type Action	Description	Suggested Actions
FED122812-16	Toxic Substances SNUR	12/20/2012	77 FR 75390 HTML PDF	Final Rule	<p>U.S. Environmental Protection Agency</p> <p>Significant New Use Rules on Certain Chemical Substances [40 CFR Parts 9 and 721]</p> <p>Direct final rule promulgates SNURs for certain chemical substances, including the following:</p> <ul style="list-style-type: none"> Fatty acids, tall-oil, reaction products with modified fatty acids and polyalkanolamines (generic) Amino acid, carboxyalkyl, alkylsulfonate, alkali salts (generic) Mixed metal borate (generic) N-[(cyclohexylamino)thioxomethyl]-benzamide Aromatic sulfonic acid amino azo dye salts (generic) Iodonium, diphenyl-, 4,4'-di-C10-13-alkyl derivs., (OC-6-11)-hexafluoroantimonates(1-) Alkyl maleimide substituted bicyclic olefin (generic) Silimes and sludges, automotive coating, wastewater treatment, solid waste <p>Persons must notify EPA at least 90 days prior to manufacturing, importing, or processing any of these substances for an activity that is designated as a significant new use by this rule. Comments due 01/22/2013. Effective 02/19/2013. [RIN 2070-AB27]</p>	
FED122812-17	Toxic Substances SNUR	12/19/2012	77 FR 75085 HTML PDF	Proposed Rule	<p>U.S. Environmental Protection Agency</p> <p>Proposed Significant New Use Rule on Ethoxylated, Propoxylated Diamine Diaryl Substituted Phenylmethane Ester With Alkenylsuccinate, Dialkylethanolamine Salt [40 CFR Part 721]</p> <p>Proposes a SNUR for the chemical substance identified generically as ethoxylated, propoxylated diamine diaryl substituted phenylmethane ester with alkenylsuccinate, dialkylethanolamine salt. Persons would be required to notify EPA at least 90 days before manufacturing, importing, or processing any of these substances for an activity designated as a significant new use by this rule. Comments due 01/18/2013. [RIN 2070-AB27]</p>	
FED122812-18	Water Climate Change	12/26/2012	77 FR 76034 HTML PDF	Notice	<p>U.S. Environmental Protection Agency</p> <p>National Water Program 2012 Strategy: Response to Climate Change</p> <p>Announces availability of the final "National Water Program 2012 Strategy: Response to Climate Change," which provides the following information:</p> <ul style="list-style-type: none"> Description of a set of long-term visions and goals for the management of water resources in light of climate change Key strategic actions for achieving 2012 and future goals Goals and strategic actions for EPA in 10 geographic climate regions 	

1.2 Other News and Developments

1.2.1 National Water Program 2012 Strategy: Response to Climate Change

EPA has released the [National Water Program 2012 Strategy: Response to Climate Change](#), which outlines plans for EPA's water-related programs with the intent of addressing potential impacts of climate change. The [Strategy](#) presents EPA's long-term goals, vision statements, and proposed

strategic actions for sustainable water resources management in the future. The 2012 Strategy focuses on the following topics:

- [Infrastructure](#)
- [Watersheds and Wetlands](#)
- [Coastal and Ocean Waters](#)
- [Water Quality](#)
- [Working with Tribes](#)

Additional information is available on EPA's Climate Change and Water [website](#).

1.2.2 European Chemicals Agency Adds 54 SVHCs to the Candidate List

On 19 December 2012, the ECHA added 54 substances of very high concern (SVHCs) to the [Candidate List](#) under the European Union's (EU's) Registration, Evaluation, Authorization and Restriction of Chemicals (REACH) [Regulation No 1907/2006](#), bringing the total number of SVHCs to 138. Substances on the SVHC Candidate List are eligible to be considered for listing on the [Authorization List](#), REACH Annex XIV, which would impose special authorization requirements for continued manufacture and use in the EU. Although such requirements do not affect operations in the U.S. directly, they can affect the global supply chain and reduce the availability of regulated materials. The substances identified as SVHCs and added to the Candidate List are as follows:

Substance Name	CAS Number	Substance Name	CAS Number
[Phthalato(2-)]dioxotrilead	69011-06-9	Hexahydromethylphthalic anhydride [1]	25550-51-0
1,2-Benzenedicarboxylic acid, dipentylester, branched and linear	84777-06-0	Hexahydro-4-methylphthalic anhydride [2]	19438-60-9
1,2-diethoxyethane	629-14-1	Hexahydro-1-methylphthalic anhydride [3]	48122-14-1
1-bromopropane (n-propyl bromide)	106-94-5	Hexahydro-3-methylphthalic anhydride [4]	57110-29-9
3-ethyl-2-methyl-2-(3-methylbutyl)-1,3-oxazolidine	143860-04-2	Lead bis(tetrafluoroborate)	13814-96-5
4-(1,1,3,3-tetramethylbutyl)phenol, ethoxylated	--	Lead cyanamate	20837-86-9
4,4'-methylenedi-o-toluidine	838-88-0	Lead dinitrate	10099-74-8
4,4'-oxydianiline and its salts	101-80-4	Lead monoxide (Lead oxide)	1317-36-8
4-aminoazobenzene	60-09-3	Lead oxide sulfate	12036-76-9
4-methyl-m-phenylenediamine (toluene-2,4-diamine)	95-80-7	Lead titanium trioxide	12060-00-3
4-Nonylphenol, branched and linear	--	Lead titanium zirconium oxide	12626-81-2
6-methoxy-m-toluidine (p-cresidine)	120-71-8	Methoxyacetic acid	625-45-6
Acetic acid, lead salt, basic	51404-69-4	Methyloxirane (Propylene oxide)	75-56-9
Biphenyl-4-ylamine	92-67-1	N,N-dimethylformamide	68-12-2
Bis(pentabromophenyl) ether (decabromodiphenyl ether; DecaBDE)	1163-19-5	N-methylacetamide	79-16-3
Cyclohexane-1,2-dicarboxylic anhydride [1]	85-42-7	N-pentyl-isopentylphthalate	776297-69-9
cis-cyclohexane-1,2-dicarboxylic anhydride [2]	13149-00-3	o-aminoazotoluene [(4-o-tolylazo-o-toluidine)]	97-56-3
trans-cyclohexane-1,2-dicarboxylic anhydride [3]	14166-21-3	Orange lead (Lead tetroxide)	1314-41-6
Diazene-1,2-dicarboxamide (C,C'-azodi(formamide))	123-77-3	o-toluidine	95-53-4
Dibutyltin dichloride (DBTC)	683-18-1	Pentacosaflluorotridecanoic acid	72629-94-8
Diethyl sulphate	64-67-5	Pentalead tetraoxide sulphate	12065-90-6
Diisopentylphthalate (DIPP)	605-50-5	Pyrochlore, antimony lead yellow	8012-00-8
Dimethyl sulphate	77-78-1	Silicic acid (H ₂ SiO ₅), barium salt (1:1), lead-doped	68784-75-8
Dinoseb (6-sec-butyl-2,4-dinitrophenol)	88-85-7	Silicic acid, lead salt	11120-22-2
Dioxobis(stearato)trilead	12578-12-0	Sulfurous acid, lead salt, dibasic	62229-08-7
Fatty acids, C16-18, lead salts	91031-62-8	Tetraethyllead	78-00-2
Furan	110-00-9	Tetralead trioxide sulphate	12202-17-4
Henicosaflluoroundecanoic acid	2058-94-8	Tricosaflluorododecanoic acid	307-55-1
Heptacosaflluorotetradecanoic acid	376-06-7	Trilead bis(carbonate)dihydroxide	1319-46-6
		Trilead dioxide phosphonate	12141-20-7

Several of the newly listed substances might be of particular interest to the aerospace community. For example, n-propyl bromide (1-bromopropane, nPB) could be used in some precision cleaning applications as a replacement for phased-out ODSs. Nonylphenols, including 4-nonylphenol, are used to make other chemicals such as surfactants. Organotin, such as dibutyltin dichloride, might

be components of sealants or used as catalysts in other materials. DecaBDE, already being voluntarily phased out in the U.S., is a flame retardant used in numerous aerospace-related materials and components.

1.2.3 Final Standards for Boilers and Incinerators

On 21 December 2012, EPA made available a pre-publication version of finalized [changes](#) to the National Emission Standards for Hazardous Air Pollutants (NESHAP) for industrial boilers and New Source Performance Standards (NSPS) for certain incinerators, which included revised nonhazardous secondary material (NHSM) definitions. The final rules establish emission standards for the following sources:

- Industrial, commercial, and institutional boilers and process heaters designated as [area sources](#) and [major sources](#) of HAPs [40 CFR 63, Subpart DDDDD]
- [Solid waste incinerators](#) [40 CFR 60, Subpart CCCC]

The final Boiler NESHAP includes technical corrections to clarify definitions, references, applicability, and compliance issues. Additional information regarding the final standards is available on the EPA rulemaking [website](#). More information about the revised NHSM Rule is available on EPA's NHSM [website](#).

1.2.4 Occupational Safety and Health Administration Releases Interactive Cadmium Exposure Tool

OSHA recently released the [Cadmium Biological Monitoring Advisor](#), which is an interactive tool that analyzes biological monitoring data of workers and assists employers with identifying appropriate OSHA [Cadmium Standard](#) biological and medical surveillance requirements.

1.3 NASA Regulatory Communication Working Group Updates

The next Regulatory Communication Working Group call will be held on Wednesday, 20 February 2013, at 10 a.m. CT.

2.0 State Regulatory Reviews

The following sections provide details about the regulatory actions reviewed for selected states in which NASA facilities and related operations are located.

2.1 Alabama State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations in Alabama.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
AL122812-1	Air	12/23/2012	Public Notice 350	Notice Hearing	<p>Alabama Department of Environmental Management</p> <p>Air Pollution Control Program [AAC 335-3]</p> <p>Announces a hearing to discuss the following proposed revisions to the Division 3 Code:</p> <ul style="list-style-type: none"> ▪ Incorporate by reference changes to federal NSPS and NESHAPs. ▪ Correct an error within the PSD regulations. ▪ Incorporate changes to federal regulations for permits that have PALs. ▪ Revise certain definitions for consistency with EPA revisions. ▪ Incorporate the following revised chapters into the SIP: <ul style="list-style-type: none"> ▪ AAC 335-3-1, "General Provisions" ▪ AAC 335-3-14, "Air Permits" ▪ AAC 335-3-17, "Conformity of Federal Actions to State Implementation Plans" <p>Proposed rule text and summary of reasons are available for review. Hearing is scheduled for 02/05/2013 in Montgomery, Alabama. Comments due 02/08/2013.</p>	

2.2 California State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations in California.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA122812-1	Air Engine Emissions	12/21/2012	CRNR 2012, 51z, p. 1827	Final Rule	<p>California Air Resources Board</p> <p>Amendments to SORE and CI Engine Regulations and Incorporated Test Procedures [13 CCR 2403-2404, 2407, 2412, 2421, 2423-2425, 2425.1, 2426-2427, 2433, 2447, and 2783-2784]</p> <p>Adopts amendments to California's off-road exhaust emission regulations for new SORE and Tier 4 CI engines. Revisions are intended to implement the following actions:</p> <ul style="list-style-type: none"> ▪ Harmonize state regulations with related federal certifications, testing requirements, and associated test procedures. ▪ Modify test fuel requirements used in other off-road categories of engines and vehicles. Effective 01/10/2013. 	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA122812-2	Air GHGs	12/28/2012	CRNR 2012, 52z, p. 1862	Final Rule	<p>California Air Resources Board</p> <p>Mandatory Reporting, Fee Regulations, and Cap and Trade [17 CCR 95101-95105, 95111-95115, 95119-95123, 95130-95133, 95150-95158, 95202, and 95802]</p> <p>Adopts one new section and amends existing regulations governing mandatory reporting of GHG emissions promulgated pursuant to AB 32. Also makes corresponding conforming amendments to the definition sections of AB 32 regarding cost of implementation fees and cap and trade. Effective 01/01/2013.</p>	
CA122812-3	Air GHGs–Cap-and-Trade	12/21/2012	ARB Website	Notice	<p>California Air Resources Board</p> <p>Cap-and-Trade February Quarterly Auction</p> <p>Announces that the quarterly GHG allowance auction is scheduled for 02/19/2013.</p> <p>The auction will offer 2013 current vintage allowances and 2016 future vintage allowances for sale.</p>	
CA122812-4	Occupational Safety Pole Safety, Respirators	12/28/2012	CRNR 2012, 52z, p. 1839	Proposed Rule	<p>Occupational Safety and Health Standards Board</p> <p>Proposed Changes to High Voltage Electrical Safety Orders [8 CCR 2940.8] and General Industry Safety Orders [8 CCR 5199(g)(3)(B)]</p> <p>Proposes the following amendments:</p> <ul style="list-style-type: none"> Require damaged or unstable poles, or sections of poles, to be guyed, braced, or otherwise securely supported during pole removal operations. Permit the use of NIOSH-approved P100, N100, and R100 respirators during high-hazard work. Revisions are intended to allow emergency medical services providers more flexibility in selecting appropriate respirators for the exposure conditions in which they would be used. <p>Comments due 02/15/2013. Public hearing is scheduled for 02/21/2013 in Sacramento, California.</p> <p>Because N100 filters are not tested against oil particulates, an employer must meet additional requirements related to employee awareness and training if N100 respirators are selected for use.</p>	
CA122812-5	Toxic Substances Bromomethane	12/28/2012	CRNR 2012, 52z, p. 1864	Final Rule	<p>Office of Environmental Health Hazard Assessment</p> <p>Proposition 65–Bromomethane NSRL [27 CCR 25705]</p> <p>Establishes a bromomethane NSRL of 96 µg/day. Effective 01/16/2013.</p> <p>Bromomethane, also known as methyl bromide, primarily is used in agriculture. Additional information is available at the OEHA website.</p>	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA122812-6	Water	11/30/2012	Delta Stewardship Council Website	Proposed Rule	Delta Stewardship Council Final Draft Delta Plan [23 CCR 10608, 10610.2, 10610.4, 10801-10802, 85001(c), 85004(b), 85020-85023, 85032, 85052, 85054, 85057.7, 85058-85059, 85225, 85300, 85302-85303, 85305-85306, and 85308] Proposes to adopt the Draft Final Delta Plan , which includes regulatory policies to ensure achievement of the Delta Stewardship Council goals. Comments due 01/14/2013. Public hearing is scheduled for 01/24/2013 in West Sacramento, California. In 2009, the Sacramento-San Joaquin Delta Reform Act of 2009 established a new governance approach for the Sacramento-San Joaquin Delta. The proposed regulations are under the authority of this act.	
CA122812-7	Water TMDLs	12/24/2012	LARWOCB Website	Notice	State Water Resources Control Board Proposed Approval of an Amendment to the Water Quality Control Plan for the Los Angeles Region Solicits comments about the LARWOCB's amendment to the regional Water Quality Control Plan, which will incorporate a TMDL for algae, eutrophic conditions, and nutrients in Ventura River, including the estuary and its tributaries. Comments due 01/28/2013.	NASA Centers and related operations should be aware of this action.

2.2.1 Air Resources Board Webinars to Discuss CITSS Enhancement Proposals

The California ARB has scheduled a series of design webinars to discuss stakeholder proposals intended to enhance or modify [Compliance Instrument Tracking System Service](#) (CITSS) functionality. The CITSS is a component of an administrative system used to support state and provincial GHG emission trading programs, such as the [California Cap-and-Trade Program](#). Interested stakeholders must [register](#) to participate in the webinar and are encouraged to submit design proposals or functionality requests by 04 January 2013. The first Stakeholder Design Webinar is scheduled for 16 January 2013. The [agenda](#) for the webinar, a [sample design proposal document](#), and additional information are available on the ARB [website](#).

2.2.2 Air Resources Board Approved Offset Project Registries

On 14 December 2012, the ARB [announced](#) approval of the [American Carbon Registry](#) and the [Climate Action Reserve](#) as Cap-and-Trade offset project registries. These registries will be authorized to issue registry offset credits under ARB compliance offset protocols that can be transitioned into ARB compliance offset credits. Credits can be used for up to 8 percent of each covered entity's compliance obligation under the cap-and-trade regulation. Additional information is available on the ARB [website](#) and on the Climate Action Reserve [website](#).

2.2.3 Air Resources Board Compliance Offset Program Guidance

On 21 December 2012, the ARB made available information related to the following Cap-and-Trade items:

- Accredited verification bodies and offset verifiers
- Compliance offset protocols
- Crediting early action projects

Available information included [general guidance](#) about the Compliance Offset Program, as well as [forms](#) for submitting regulatory required information to the ARB and/or offset project registries. More information is available on the ARB [offsets website](#) and on the [guidance website](#).

2.2.4 California Air Districts Regulatory Review

2.2.4.1 Antelope Valley Air Quality Management District

No regulatory items of interest were identified during this reporting period for the [Antelope Valley Air Quality Management District](#).

2.2.4.2 Bay Area Air Quality Management District

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations for the [Bay Area Air Quality Management District](#).

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CAB122812-1	Air Permits	12/20/2012	BAAQMD Website	Final Rule	<p>Bay Area Air Quality Management District</p> <p>General Requirements [Rule 1], New Source Review [Rule 2], Emissions Banking [Rule 4], and Major Facility Review [Rule 6]</p> <p>Adopts proposed amendments related to the following:</p> <ul style="list-style-type: none"> Emissions Banking Rule allowing owners of PM emission banking credits to quantify PM_{2.5} credits General Requirements, New Source Review, and Major Facility Review rules <p>Revised regulations will become effective upon EPA approval. Until EPA approves revisions, the existing requirements remain in effect.</p>	

2.2.4.3 Eastern Kern Air Pollution Control District

No regulatory items of interest were identified during this reporting period for the [Eastern Kern Air Pollution Control District](#).

2.2.4.4 Mojave Desert Air Quality Management District

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations for the [Mojave Desert Air Quality Management District](#).

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CAM122812-1	Air Title V	12/27/2012	MDAQMD Website	Notice	<p>Mojave Desert Air Quality Management District</p> <p>Policy–Title V Annual Certification</p> <p>Announces a requirement for facilities that operate under a Title V Federal Operating Permit to submit the annual compliance certification within 30 days of the anniversary date or renewal date of the issued permit.</p>	Goldstone Tracking Facility should be aware of this notice.

2.2.4.5 South Coast Air Quality Management District

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations for the [South Coast Air Quality Management District](#).

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CAS122812-1	Air SIP	12/21/2012	ARB Website	Notice Meeting	<p>California Air Resources Board</p> <p>South Coast Air Basin 2012 PM_{2.5} and Ozone State Implementation Plans (SIP)</p> <p>Announces a public meeting to consider approval of the South Coast 2012 Air Quality Management Plan. This plan includes SIP amendments for PM_{2.5} and 1-hour ozone. Public meeting is scheduled for 01/25/2013 in Diamond Bar, California.</p> <p>Additional information is available on the SCAQMD website.</p>	

2.2.4.6 Ventura County Air Pollution Control District

No regulatory items of interest were identified during this reporting period for the [Ventura County Air Pollution Control District](#).

2.3 Florida State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations in Florida.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL122812-1	Species Wood Stork	12/26/2012	77 FR 75947 HTML PDF	Proposed Rule	<p>U.S. Fish and Wildlife Service</p> <p>Endangered and Threatened Wildlife and Plants; Reclassification of the Continental U.S. Breeding Population of the Wood Stork From Endangered to Threatened [50 CFR Part 17]</p> <p>Proposes to reclassify the wood stork from endangered to threatened under the ESA due to a substantial improvement in the species' overall status. Comments due 02/25/2013. [RIN 1018-AX60]</p>	
FL122812-2	Water Conservation	12/28/2012	FAR Notice #12373725	Proposed Rule	<p>Department of Environmental Protection</p> <p>Water Resource Implementation Rule [Chapter 62-40, F.A.C.]</p> <p>Proposes the following amendments:</p> <ul style="list-style-type: none"> ▪ Add new definitions and eliminate duplicate definitions. ▪ Provide guidance regarding permitted water allocations, the annual MFL priority list, and water reserves. ▪ Provide incentives for the use of reclaimed water. ▪ Develop certain recovery and prevention strategies. ▪ Simplify the Florida Water Plan. <p>Proposed rule text is available for review. Comments due 01/18/2013.</p>	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL122812-3	Water ERP	12/28/2012	FAR Notice #12442207 ; FAR Notice #12442304 ; FAR Notice #12442401 ; FAR Notice #12442498 ; FAR Notice #12442595	Notice Meeting	<p>St. John's River Water Management District</p> <p>Environmental Resource Permitting [Chapters 40C-1, 40C-4, 40C-41, 40C-42, and 40C-44, F.A.C.]</p> <p>Announces a meeting to discuss development of streamlined, statewide ERP rules. Solicits comments regarding the Environmental Resource Permit Applicant's Handbook, Volume II, and the following SJRWMD rule chapters:</p> <ul style="list-style-type: none"> 40C-1 F.A.C., "Organization and Procedure" 40C-4 F.A.C., "Environmental Resource Permits: Surface Water Management Systems" 40C-41 F.A.C., "Surface Water Management Basin Criteria" 40C-42 F.A.C., "Environmental Resource Permits: Regulation of Stormwater Management Systems" 40C-44 F.A.C., "Environmental Resource Permits: Regulation of Agricultural Surface Water Management Systems" <p>Meeting is scheduled for 01/14/2013 in Palatka, Florida, or via webinar.</p>	
FL122812-4	Water Water Quality	12/18/2012	77 FR 74923 HTML PDF	Proposed Rule	<p>U.S. Environmental Protection Agency</p> <p>Water Quality Standards for the State of Florida's Estuaries, Coastal Waters, and South Florida Inland Flowing Waters [40 CFR Part 131]</p> <p>Proposes numeric water quality criteria for Class I, Class II, and Class III waters. Proposed criteria are intended to reduce adverse effects of nitrogen and phosphorus pollution in estuaries and coastal waters within Florida. Comments due 02/19/2013. [RIN 2040-AF21]</p> <p>Further information about this rulemaking is posted on the EPA website.</p>	
FL122812-5	Water Water Quality	12/18/2012	77 FR 74985 HTML PDF	Proposed Rule	<p>U.S. Environmental Protection Agency</p> <p>Water Quality Standards for the State of Florida's Streams and Downstream Protection Values for Lakes: Remanded Provisions [40 CFR Part 131]</p> <p>Re-proposes numeric nutrient criteria for total nitrogen and total phosphorus (75 FR 75761, 12/06/2010), providing further explanation of how they were derived and why they are appropriate. Also proposes alternative approaches to deriving DPVs. Meetings are scheduled for 01/17/2013 and 01/18/2013 in Tampa, Florida. Webinars are scheduled for the following dates:</p> <ul style="list-style-type: none"> 01/22/2012 01/23/2012 01/24/2012 <p>Comments due 02/01/2013. [RIN 2040-AF39]</p> <p>Further information about this rulemaking is posted on the EPA website.</p>	
FL122812-6	Water SJRWMD	12/19/2012	FAR Notice #12385753	Notice Meeting	<p>St. John's River Water Management District</p> <p>Projects and Land Committee Meeting</p> <p>Announces a meeting to discuss agenda items, followed by committee recommendations to be approved by the full Governing Board. Agenda to be posted before the meeting, which is scheduled for 01/07/2013 in Palatka, Florida.</p>	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL122812-7	Water SJRWMD	12/19/2012	FAR Notice #12386238	Notice Meeting	St. John's River Water Management District Governing Board Meeting Announces a meeting to discuss regulatory and non-regulatory matters. Agenda to be posted before the meeting. Meeting is scheduled for 01/08/2013 in Palatka, Florida.	

2.4 Louisiana State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Louisiana.

2.5 Maryland State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations in Maryland.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
MD122812-1	Water Permits	12/28/2012	39:26 Md.R. 1681	Notice	Department of the Environment Notice of Tentative Determination and Opportunity to Request a Public Hearing for Specific NPDES Permits Announces a tentative determination to reissue the following permits: <ul style="list-style-type: none"> MDG34 for the Discharges of Storm Water and Hydrostatic Test water From Oil Terminals (Fact Sheet, Draft Permit) MDG91 for the Discharges of Treated Ground Water from Oil Contaminated Ground Water Sources (Fact Sheet, Draft Permit) Comments due 01/28/2013.	

2.6 Mississippi State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Mississippi.

2.7 New Mexico State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of New Mexico.

2.8 Ohio State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations in Ohio. An archive of past public notices is available on the OEPA [website](#).

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
OH122812-1	Air SIL-NO ₂	12/27/2012	DAPC-What's New	Notice	Division of Air Pollution Control, Ohio Environmental Protection Agency Engineering Guide 69-Interim NO ₂ Significant Impact Level (SIL) Announces revisions to Table 3 of Engineering Guide 69 to include a 1-hour interim SIL for NO ₂ of 10 µg/m ³ . Comments due 01/23/2013.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
OH122812-2	Waste Universal Waste	12/21/2012	DMWM-Early Stakeholder Outreach	Notice	Division of Materials and Waste Management, Ohio Environmental Protection Agency Universal Waste Rules [3745-273] Solicits comments regarding the designation of hazardous wastes, specifically non-empty aerosol cans and spent antifreeze, as universal wastes. Comments due 02/08/2013.	

2.9 Texas State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Texas.

2.10 Utah State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Utah.

2.11 Virginia State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations in Virginia.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
VA122812-1	Air SIP	12/20/2012	77 FR 75380 HTML PDF	Final Rule	U.S. Environmental Protection Agency Approval and Promulgation of Air Quality Implementation Plans; Permits for Major Stationary Sources and Major Modifications Locating in Prevention of Significant Deterioration Areas or the Ozone Transport Region [40 CFR Part 52] Approves the following revisions to Virginia's SIP: <ul style="list-style-type: none"> Allows combination of terms and conditions for various elements of the preconstruction program into a single permit. Establishes limitations for issuance of PALs. Clarifies exemptions to permitting rules regarding the use of alternative fuels. Makes minor administrative amendments. Effective 01/22/2013.	